

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 8/29/07

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROBERT CORWIN on behalf of himself and
all others similarly situated,
Plaintiff,

v.

BERND R. SEIZINGER, MARTINE GEORGE,
MARCEL ROSENCZWEIG,
and GPC BIOTECH AG,

Defendants.

Civil Action No. 07-CV-6728 (DC)

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME TO
RESPOND TO COMPLAINT**

WHEREAS, plaintiff Robert Corwin has filed the captioned putative class action;

WHEREAS, plaintiff in an action entitled *Tamagotchi v. GPC Biotech AG, et al.*,
No. 07-cv-7061 (DC) (collectively with the Corwin action, the "Actions"), also has filed a
putative class action arising out of the same alleged facts and circumstances as those alleged by
Corwin in this action;

WHEREAS, it is anticipated that plaintiffs in the Actions will move, pursuant to
the Private Securities Litigation Reform Act, for the appointment of lead plaintiff and the
selection of lead plaintiff's counsel; and

WHEREAS, it is anticipated that following the appointment of lead plaintiff and
selection of lead plaintiff's counsel, an amended complaint will be filed relating to the Actions;

IT IS HEREBY STIPULATED AND AGREED, by and among counsel for the
plaintiff and counsel for Defendants GPC Biotech AG, Bernd R. Seizinger, Martine George, and
Marcel Rosenczweig (collectively, the "Defendants"), that:

1. The undersigned attorneys for the Defendants agree to accept service of
process on behalf of all Defendants, provided, however, that such service shall not constitute a

waiver of any defenses that may be raised by motion pursuant to Fed. R. Civ. P. 12(b)(1)-(3) and (6)-(7).

2. The time of the Defendants to move, answer, or otherwise respond to the complaint filed in this action is adjourned to a date to be set either by order of the Court or further stipulation of the parties.

3. Within ten days following appointment of the lead plaintiff and designation of lead counsel by the Court, the parties shall submit to the Court for its approval a stipulation regarding the schedule for filing an amended complaint and Defendants' response to such amended complaint, provided, however, that Defendants' response shall not be due to be served in fewer than 60 days following service of the amended complaint.

Dated: New York, New York
August 20, 2007

SHEARMAN & STERLING LLP

By: 

James P. Tilden
Tai H. Park
John C. Scalzo
599 Lexington Avenue
New York, New York 10022-6069
Tel: (212) 848-4000
Fax: (212) 848-7179

*Attorneys for Defendants Bernd R. Seisinger,
Martine George, Marcel Rosenzweig, and
GPC Biotech AG*

**ABBEY SPANIER RODD & ABRAMS,
LLP**

By: 

Nancy K. Rodd
212 East 39th Street
New York, New York 10016
Tel: (212) 889-3700
Fax: (212) 684-5191

PASKOWITZ & ASSOCIATES

By: 

Lawrence D. Paskowitz
60 East 42nd Street, 46th Floor
New York, New York 10016
Tel: (212) 685-0969
Fax: (212) 685-2306

Attorneys for Plaintiff Robert Corwin

SO ORDERED
this 29 day of August, 2007



Hon. Danny Chin, U.S.D.J.

r